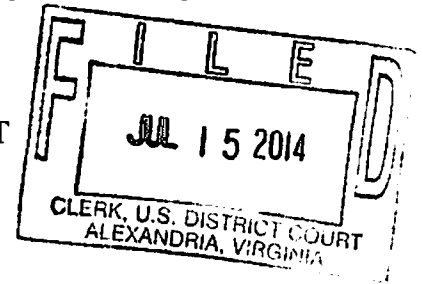


IN THE UNITED STATES DISTRICT COURT
For The
EASTERN DISTRICT OF VIRGINIA



In Alexandria, Virginia

NATIONWIDE PROPERTY AND CASUALTY
INSURANCE CO.
A/S/O TAKARA CHATMAN,

PLAINTIFF.

v.

Case No.: 1:14CV886 AJT/IDD

UNITED STATES OF AMERICA,

DEFENDANT.

COMPLAINT

COMES NOW Nationwide Property and Casualty Insurance Company, hereinafter
"Nationwide," by counsel and as the basis for its Complaint states as follows:

1. The plaintiff, Nationwide is an Ohio corporation duly authorized to conduct business in the Commonwealth of Virginia, and it brings this action as subrogee of its policyholder, Takara Chatman, a resident and domiciliary of Virginia.
2. The defendant is the federal government, the United States of America, which engages in various security and law enforcement functions, including designing, operating and maintaining a security program, protecting the Secretary of State and high-ranking foreign dignitaries and officials visiting the United States, investigating passport and visa fraud, conducting personnel security investigations, and in the accomplishment of these and other tasks, the defendant uses the roads and highways of Virginia to conduct said business.


3. In accordance with 28 U.S.C. §1346 (b), this Complaint is being filed with the United States District Court for the Eastern District of Virginia, which has original jurisdiction over this civil action being brought against the defendant, pursuant to the Federal Tort Claims Act, for acts committed in Virginia.
4. On October 7, 2014, Jade Gidron was lawfully driving a 2009 Infinity FX35 4x2, a vehicle owned by Nationwide policyholder, Takara Chatman, on Highway 123 in McLean, Virginia.
5. At that time and place, an employee of the United States Department of State, Bureau of Diplomatic Security, hereinafter "U.S. Department of State", was operating a Chevy Suburban owned by his employer, U.S. Department of State, on Highway 123 ahead of Jade Gidron.
6. During that time, it was raining and dark outside.
7. At that time and place, the employee of the U.S. Department of State missed the turn he needed to take.
8. The employee of the U.S. Department of State, began to reverse and collided with the front end of Takara Chatman's vehicle being driven by Jade Gidron.
9. At the time of the collision, the employee of the U.S. Department of State, an entity of the defendant, the United States of America, owed a duty to Takara Chatman and Jade Gidron to operate his motor vehicle without negligence, to keep a proper look out, to maintain proper control of his vehicle, and avoid reversing down a street intended for traffic heading in an opposite direction.

10. The employee of the U.S. Department of State, breached that duty when he carelessly, recklessly and negligently reversed his vehicle on the highway, thereby striking the vehicle being driven by Jade Gidron.
11. As a direct result of the aforementioned negligent acts of the employee of the U.S. Department of State, Takara Chatman, a Nationwide policyholder and the vehicle owner, sustained \$5,000.35 in property damages, including \$50, a portion of her deductible paid to Nationwide.
12. As a direct and proximate result of the aforementioned negligent acts of the employee of the U.S. Department of State, Takara Chatman, a Nationwide policyholder and the vehicle owner incurred \$770.70 for a rental vehicle, the remaining \$450.00 of her deductible, and \$85.00 in towing expenses.
13. Nationwide paid Takara Chatman the aforementioned sum, excluding the \$96.33 of the rental paid out of pocket by the insured and her \$500 deductible, claimed herein under Nationwide policy 53 45 V 727159.
14. The employee of the U.S. Department of State, an entity of the defendant, the United States of America, was operating a vehicle, during the ordinary course of business and within the scope of his employment, and thus, the United States of America is vicariously liable for the employee's negligent acts and is indebted to the Plaintiff, subrogee of Takara Chatman, in the total amount of \$6,306.05.

WHEREFORE, Nationwide Property and Casualty Insurance Company, subrogee of Takara Chatman, demands judgment against the defendant, the United States of America, in the sum of Six Thousand Three Hundred Six Dollars and Five Cents (\$6,306.05), court costs, and 6% interest from the date of judgment.

NATIONWIDE PROPERTY AND CASUALTY INS. CO.

By


Counsel

Christopher G. Findlater, Esquire
(Va. State Bar No.: 78481)
ROBEY, TEUMER, DRASH, KIMBRELL & COUNTS
3975 Fair Ridge Drive, Suite 410 North
Fairfax, Virginia 22033
(703) 591-7150 - Office
(703) 591-7102 - FAX